

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

THIELERT *et al.*

Appl. No.: 10/584,403

(U.S. Nat'l Phase of Int'l Appl.
No. PCT/EP2004/014710)

Int'l Filing Date: December 24, 2004

For: **Active Substance Combinations**
Having Insecticidal Properties
(As Amended)

Confirmation No.: 9067

Art Unit: *To be Assigned*

Examiner: *To be Assigned*

Atty. Docket: 2400.0580000/JMC/VLC/BSA

Information Disclosure Statement
Filing under 37 C.F.R. § 1.97(b)

Mail Stop PCT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms, PTO/SB/08A and PTO/SB/08B, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of **FP1** to **FP30** and **NPL1** to **NPL4** are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patents, documents **US1** to **US19** cited on the attached IDS Form PTO/SB/08A, are not submitted.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following discussion of the relevance of the non-English language documents, **FP2** to **FP9**, **FP11** to **FP13**, **FP16**, **FP17**, **FP22** to **FP24**, **FP26**, **FP29**, and **FP30**, cited on Form PTO/SB/08A:

Document **FP2**, DE 2231 312, is in the German language. An unverified English language equivalent of document FP2 is listed as document **US2**.

Document **FP3**, DE 2 326 077, is in the German language. An unverified English language equivalent of document FP3 is listed as document **US4**.

Document **FP4**, DE 2 335 347, is in the German language. An unverified English language equivalent of document FP4 is listed as document **US3**.

Document **FP5**, DE 26 41 343 A1, is in the German language. An unverified English language equivalent of document FP5 is attached as document **FP10**.

Document **FP6**, DE 26 53 189 A1, is in the German language. An unverified English language equivalent of document FP6 is listed as document **US9**.

Document **FP7**, DE 26 01 780 A1, is in the German language. An unverified English language equivalent of document FP7 is listed as document **US5**.

Document **FP8**, DE 27 37 297 A1, is in the German language. An unverified English language equivalent of document FP8 is listed as document **US12**.

Document **FP9**, DE 27 42 546 A1, is in the German language. An unverified English language equivalent of document FP9 is listed as document **US7**.

Document **FP11**, DE 2 802 962 A1, is in the German language. An English language equivalent of document FP11 is listed as document **US8**.

Document **FP12**, DE 27 09 267 A1, is in the German language. An unverified English language equivalent of document FP12 is listed as document **US10**.

Document **FP13**, DE 27 57 066 A1, is in the German language. An unverified English language equivalent of document FP13 is listed as document **US6**.

Document **FP16**, DE 31 17 510 A1, is in the German language. An unverified English language equivalent of document FP16 is listed as document **US11**.

Document **FP17**, EP 0 048 186 A2, is in the German language. An unverified English language equivalent of document FP17 is listed as document **US13**.

Document **FP22**, EP 0 206 149 A2, is in the German language. An unverified English language equivalent of document FP22 is listed as document **US15**.

Document **FP23**, EP 0 210 487 A1, is in the German language. An unverified English language equivalent of document FP23 is listed as document **US17**.

Document **FP24**, DE 36 04 781 A1, is in the German language. An English language abstract of document FP24 is attached as document **NPL4**.

Document **F26**, DE 37 08 231 A1, is in the German language. An unverified English language equivalent of document FP26 is listed as document **US14**.

Document **FP29**, WO 93/22297 A1, is in the Japanese language. An unverified English language equivalent of document FP26 is listed as **US19**.

Document **FP30**, FR 2 710 239 A1, was cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. The search report is attached as document **NPL4** on the IDS Form, PTO/SB/08B. 1138 OG 37, 38.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

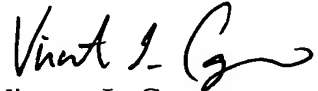
This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Vincent L. Capuano
Attorney for Applicants
Registration No. 42,385

Date: 3.29.07

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/584,403 (U.S. Nat'l Phase of Int'l Appl. No. PCT/EP2004/014710)
				Int'l Filing Date	December 24, 2004
				First Named Inventor	THIELERT, Wolfgang
				Art Unit	To be Assigned
				Examiner Name	To be Assigned
Sheet	1	of	4	Attorney Docket Number	2400.0580000/JMC/VLC/BSA

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	US1	3,264,177	08/02/1966	Kenaga, E.E.	
	US2	3,835,176	09/10/1974	Matsuo <i>et al.</i>	
	US3	3,996,244	12/07/1976	Fujimoto <i>et al.</i>	
	US4	4,024,163	05/17/1977	Elliott <i>et al.</i>	
	US5	4,139,636	02/13/1979	Sirrenberg <i>et al.</i>	
	US6	4,178,460	12/11/1979	Berkelhammer <i>et al.</i>	
	US7	4,179,575	12/18/1979	Martel <i>et al.</i>	
	US8	4,183,948	01/15/1980	Huff, R.K.	
	US9	4,220,591	09/02/1980	Holan <i>et al.</i>	
	US10	4,261,920	04/14/1981	Fuchs <i>et al.</i>	
	US11	4,397,864	08/09/1983	Nakatani <i>et al.</i>	
	US12	4,503,071	03/05/1985	Hirano <i>et al.</i>	
	US13	4,732,903	03/22/1988	Martel <i>et al.</i>	
	US14	4,782,094	11/01/1988	Numata <i>et al.</i>	
	US15	4,782,174	11/01/1988	Fuchs <i>et al.</i>	
	US16	4,843,068	06/27/1989	Hamaguchi <i>et al.</i>	
	US17	4,962,126	10/09/1990	Drabek, J.	
	US18	5,466,703	11/14/1995	Kudoh <i>et al.</i>	
	US19	5,478,855	12/26/1995	Suzuki <i>et al.</i>	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)			
	FP1	GB 1,168797	10/29/1969	National Research Development Corporation	
	FP2	DE 2231 312	01/11/1973	Sumitomo Chemical Co., Limited	Abs
	FP3	DE 2 326 077	01/03/1974	National Research Development Corporation	Abs
	FP4	DE 2 335 347	02/14/1974	Sumitomo Chemical Co., Limited	Abs
	FP5	DE 26 41 343 A1	04/07/1977	E.I. du Pont de Nemours and Company	Abs
	FP6	DE 26 53 189 A1	06/08/1977	Commonwealth Scientific and Industrial Research Organization	Abs
	FP7	DE 26 01 780 A1	07/21/1977	Bayer AG	Abs
	FP8	DE 27 37 297 A1	02/23/1978	Sumitomo Chemical Co., Limited	Abs
	FP9	DE 27 42 546 A1	03/23/1978	Roussel-Uclaf S.A.	Abs

Examiner Signature	Date Considered
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
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				Int'l Filing Date	December 24, 2004
				First Named Inventor	THIELERT, Wolfgang
				Art Unit	<i>To be Assigned</i>
				Examiner Name	<i>To be Assigned</i>
				Attorney Docket Number	2400.0580000/JMC/VLC/BSA
Sheet	3	of	4		

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FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶
		Country Code ² Number ⁴ Kind Code ³ (if known)			
	FP19	EP 0 067 461 A1	12/22/1982	Shell Internationale Research	
	FP20	EP 0 106 469 A1	04/25/1984	Imperial Chemical Industries PLC	
	FP21	GB 2 143 823 A	02/20/1985	ICI Australia Limited (Australia-Victoria)	
	FP22	EP 0 206 149 A2	12/30/1986	Bayer AG	Abs
	FP23	EP 0 210 487 A1	02/04/1987	CIBA-Geigy AG	Abs
	FP24	DE 36 04 781 A1	08/27/1987	Schering AG	Abs
	FP25	EP 0 234 045 A2	09/02/1987	Nihon Nohyaku Co., Ltd.	
	FP26	DE 37 08 231 A1	09/17/1987	Mitsui Toatsu Chemicals, Inc.	Abs
	FP27	EP 0 347 488 A1	12/27/1989	American Cyanamid Company	

Examiner Signature		Date Considered	
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Substitute for form 1449A/PTO

(Use as many sheets as necessary)

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Sheet	4	of	4
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				Attorney Docket Number	2400.0580000/JMC/VLC/BSA
Sheet	1	of	1		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	NPL1	Hughes, G.A., <i>et al.</i> , "Multinomial Logit Analysis of the Effects of Chemical Mixtures," <i>J. Econ. Entomol.</i> 84:1957-1968, Entomological Society of America (1991)	
	NPL2	"Pyrethrins (Pyrethrum)," in <i>The Pesticide Manual: a world compendium 11th Edition</i> , Tomlin, C., ed., British Protection Council, pp. 1056-1059 (1997)	
	NPL3	International Search Report for International Application No. PCT/EP2004/014710, European Patent Office, Netherlands, mailed on October 25, 2005	
	NPL4	WPIX Database. Accession No. 1987-243072, English language abstract for DE 36 04 781 A1 (listed on accompanying PTO/SB/08A as FP23)	

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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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